

ORDERED.

Dated: June 07, 2019



Michael G. Williamson
Chief United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

In re

Betzaida A Lugo
aka Betzaida Amaralys Lugo-Serrano
aka Betzaida Sanchez

CHAPTER 7
CASE NO. 8:19-bk-03732-MGW

Debtor

**ORDER GRANTING MOTION FOR RELIEF FROM STAY ON A PROSPECTIVE
BASIS PURSUANT TO 11 U.S.C. SECTION 362 (d)(4) (DOC. NO. 7) FILED BY
SUNCOAST CREDIT UNION REGARDING REAL PROPERTY**

THIS CAUSE came on for consideration upon the Motion For Relief From Stay on a Prospective Basis Pursuant to 11 U.S.C. Section 362 (d)(4) (Doc. No. 7) regarding REAL PROPERTY LOCATED: 15416 FLORIDA BREEZE LOOP WIMAUMA, FL 33598, LEGALLY DESCRIBED AS: LOT 15, BLOCK 7, HIDDEN CREEK AT WEST LAKE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 115, PAGES 227 THROUGH 232, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA ("Collateral") filed by SUNCOAST CREDIT UNION ("Creditor"). The Motion was served on interested parties with the Local Rule 2002-4 Negative Notice legend informing the parties of their opportunity to respond. No party filed a response within the time permitted. Therefore, the Court deems the matter unopposed. Accordingly, it is

ORDERED as follows:

1. Creditor's Motion For Relief From Stay On A Prospective Basis Pursuant to 11 U.S.C. Section 362(d)(4) (Doc. No. 7) is granted as set forth below.
2. The automatic stay imposed by 11 U.S.C. Section 362 is hereby terminated to permit Creditor to commence, or recommence as the case may be, prosecute, and complete through final judgment, sale and issuance of a Writ of Possession and Certificate of Title a mortgage foreclosure action in state court with respect to the ("Collateral") described as: REAL PROPERTY LOCATED: 15416 FLORIDA BREEZE LOOP WIMAUMA, FL 33598, LEGALLY DESCRIBED AS: LOT 15, BLOCK 7, HIDDEN CREEK AT WEST LAKE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 115, PAGES 227 THROUGH 232, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.
3. The relief granted here permits the Creditor to seek and obtain in rem relief against the collateral/property only and does not permit the Creditor to seek or obtain in personam relief against the Debtor(s).
4. The Court finds that the Creditor is entitled to prospective relief from the automatic stay pursuant to Section 362(d)(4) of the Bankruptcy Code as the Court finds that the filing of the instant bankruptcy petition was part of a scheme involving efforts by the Debtor to hinder, delay or defraud the Creditor involving multiple filings affecting the subject Real Property.
5. Pursuant to 11 U.S.C. Section 362(d)(4)(B), two-year prospective in rem stay relief is hereby granted such that no bankruptcy petition filed by anyone in any United States Bankruptcy Court may impose the automatic stay of 11 U.S.C. § 362(a) with respect to real property located at 15416 FLORIDA BREEZE LOOP, WIMAUMA, FL 33598 for two years from the entry of this order, and any pending foreclosure proceeding shall proceed, including any possession efforts, as if a bankruptcy proceeding were not filed.
6. The Creditor may obtain a certified copy of this Court's Order and record same in

the appropriate Public Records in accordance with Section 362(d)(4) of the Bankruptcy Code, at which point said Order shall be binding in any other case under Title 11 purporting to affect such Real Property filed not later than 2 years after the date of the entry of the order.

7. Attorney's fees and costs of up to \$631.00 are hereby awarded for the prosecution of this Motion for Relief from Stay.

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Attorney Nicole Mariani Noel is directed to serve a copy of this order on interested parties who are non-CM/ECF users and to file a proof of service within three days of the entry of this order.